

59 (b) "Disability" does not include the inability to meet an employer's required standards
 60 or tests relating to fitness, physical ability, or agility that is not a result of a disability as defined
 61 under Subsection (2)(a).

62 (3) "Emergency medical service personnel" means an individual who:

63 (a) is:

64 (i) a paramedic;

65 (ii) an advanced emergency medical services technician; or

66 (iii) an emergency medical services technician;

67 (b) is required to be licensed or certified under Section 26-8a-302; and

68 (c) has a primary job duty to provide emergency medical services as a first responder.

69 ~~[(3)]~~ (4) (a) "Final average salary" means the amount calculated by averaging the
 70 highest three years of annual compensation preceding retirement subject to Subsections ~~[(3)(b)]~~
 71 (4)(b), (c), and (d).

72 (b) Except as provided in Subsection ~~[(3)(c)]~~ (4)(c), the percentage increase in annual
 73 compensation in any one of the years used may not exceed the previous year's compensation by
 74 more than 10% plus a cost-of-living adjustment equal to the decrease in the purchasing power
 75 of the dollar during the previous year, as measured by a United States Bureau of Labor
 76 Statistics Consumer Price Index average as determined by the board.

77 (c) In cases where the participating employer provides acceptable documentation to the
 78 office the limitation in Subsection ~~[(3)(a)]~~ ~~H~~→ ~~[(4)(a)]~~ (4)(b) ←~~H~~ may be exceeded if:

79 (i) the member has transferred from another agency; or

80 (ii) the member has been promoted to a new position.

81 (d) The annual compensation used to calculate final average salary shall be based on a
 82 period, as determined by the board, consistent with the period used to determine years of
 83 service credit in accordance with Subsection ~~[(13)]~~ (14).

84 ~~[(4)]~~ (5) (a) "Firefighter service" means employment normally requiring an average of
 85 2,080 hours of regularly scheduled employment per year rendered by a member who is:

86 (i) a firefighter service employee trained in firefighter techniques and assigned to a
 87 position of hazardous duty with a regularly constituted fire department; ~~[or]~~

88 (ii) the state fire marshal appointed under Section 53-7-103 or a deputy state fire
 89 marshal~~[-];~~ or